

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

October 7, 2004

SUBJECT:

**Planned Residential Unit
(PRU) application PRU2004-
00021, Exploratory Plan**

Applicant:

Mid-City Urban
(Lincoln Terrace M.C.U.
L.L.C.)
8403 Colesville Rd,
Suite 400
Silver Spring, MD 20910

Owner:

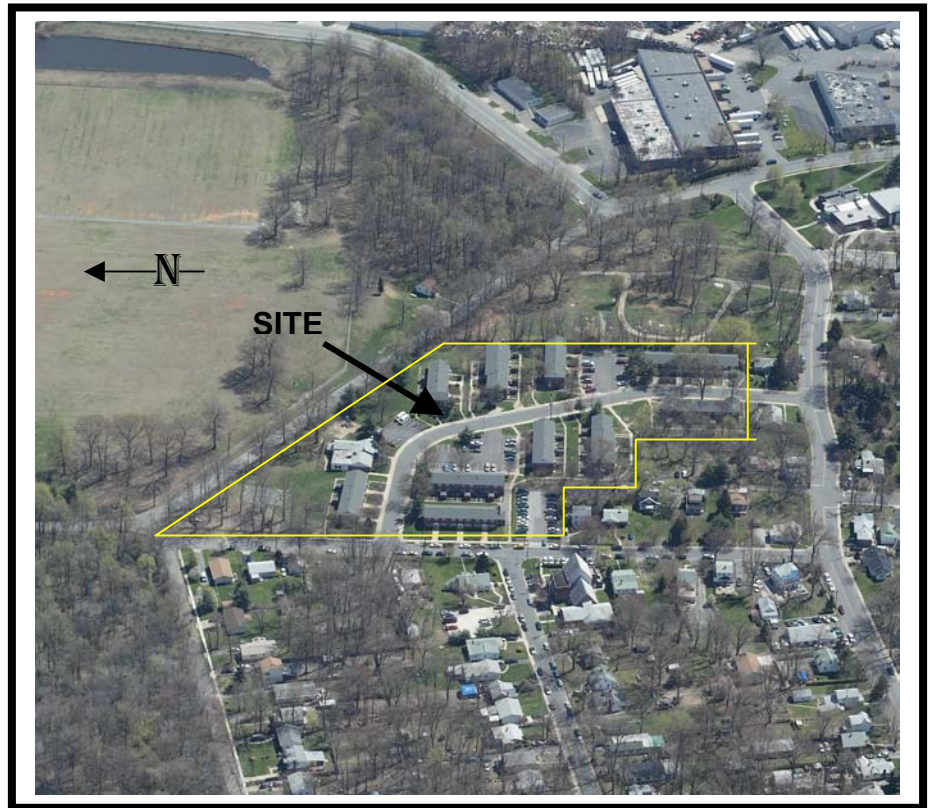
Rockville Housing
Enterprises (RHE)

Date Filed:

February 2, 2004

Location:

Moore Drive, between
Frederick Avenue and
Westmore Avenue.



BACKGROUND:

The Applicant has applied for a Planned Residential Unit (PRU) special development procedure for the subject property. The Zoning Ordinance contains a number of special development procedures that are intended to provide a flexible approach to the development of property within certain zones. The PRU process permits design of residential development by the use of flexible development standards, such as lot coverage and setbacks, while preserving open spaces or natural features. Other special development procedures also include the Residential Townhouse, Variable Lot Size and Cluster Development.

Review of the PRU application occurs in two stages. The first phase is the Exploratory Phase which sets key parameters for the development, such as maximum densities, general street layout, development standards (setback, height, etc), basic design characteristics, and the location of open space preservation areas. The Planning Commission forwards a recommendation to the Mayor and Council, who review and ultimately approve or deny the Exploratory Application. Upon approval, the applicant must apply for the second phase of a PRU review, which is the Detailed Application.

The Detailed stage occurs by the Applicant applying for a Detailed Application, which is reviewed and ultimately approved or denied by the Planning Commission. The Detailed Application includes more comprehensive and detailed information about the project. Some of these items would include a comprehensive landscaping plan, open space amenities, final street designs and layout, final locations and designs of stormwater management facilities, utility plans, specific site grading, architectural design guidelines and legal documents for the conveyance and maintenance of public and private open space.

REQUEST:

The subject of the application is the redevelopment of a Rockville Housing Enterprises complex along Moore Drive, between Westmore Avenue and Frederick Avenue. The proposal is to replace 60 units within ten, two-story multi-family apartment buildings, with 60 units in the form of single-family attached and detached units. The proposal will take the form of seven single-family detached units and 53 townhouse (attached) units on approximately 5.39 acres of land. One third of the units will be market rate units, one third will be moderately priced dwelling units (MPDUs), and one third of the units will be subsidized housing. The existing complex is empty except for a few families, due to a relocation effort by RHE in advance of this project. There is also a building on the property that housed offices for the Rockville Housing Enterprises. The current zoning is R-60, with a City code amendment approved in 2002 that modified the MPDU process. This amendment stated that when approving an exploratory application for a Planned Residential Unit (PRU) for the redevelopment of an existing public housing project, the Mayor and Council may authorize up to the same number of units that existed in the public housing project before redevelopment.

RELEVANT ISSUES and PROPOSAL:

During the course of the review of this project, a number of issues emerged and needed to be addressed. Staff and the applicant have had numerous meetings to work out a high level of detail for an Exploratory Plan. This level of detail and review was required given the number of challenges presented with the redevelopment of this project.

In order to make the replacement of the public housing complex cost effective, the 60-unit number has had to remain in place. This led to a series of challenges in the development of the site plan, given the relatively small size of the property. Second, it is anticipated that HOA will not be able to fund significant maintenance responsibilities. Staff and the applicant have worked together to minimize HOA responsibilities. This is directly related to 1/3 of the units being subsidized housing, 1/3 moderately priced dwelling units (MPDUs), and 1/3 market-rate units. It is anticipated that the market rate units will be the single-family homes and some of the townhouses. They will also be paying a preponderance of the HOA fees.

The first version of the plan presented to Staff showed a number of rear-loaded garage townhouses and units that fronted on Horners Lane. Horners Lane does not have curb and gutter, and the townhouses could not front on this road without significant cost to rebuild the road. In addition, the plan showed numerous private alleys and drives that would have to be maintained by a Homeowners Association (HOA). This plan also resulted in minimal tree preservation and left little room for landscaping, afforestation and street trees. The City tasked the applicant with revising the plan,

stating that in effort to reduce future costs and burden to any future HOAs that Rockville would accept ownership and maintenance of an open space parcel to be used as a park adjacent to Horners Lane and Westmore Avenue. The City also said that if the required Stormwater Management facility was increased to provide water quality treatment for a minimum of offsite water runoff, then the City would also take responsibility for the maintenance of the facility.

The second version of the plan presented to the City addressed the issue of frontage on Horners Lane and accommodated the park, resulting in increased tree preservation, and stormwater management facility. What it also did, however, was create more alleys and private drives, as well as twice as much infrastructure in the form of water and sewer lines that would require maintenance, and still left little room for tree planting.

The applicant and staff held a series of meetings to try and develop a solution that better addressed the balance of the previously stated goals. The result was a plan that had all of the townhouses fronting on Moore Drive with front-loaded garages. While accommodating the goals of reduced infrastructure and maintenance costs for the HOA, other issues were created, including an uninteresting streetscape, and a lack of street parking and inaccessible open space behind the units.

The current plan reduces HOA responsibilities by minimizing HOA maintenance. This occurs by dedicating parkland, providing a regional stormwater management facility and eliminating private alleys. The new plan that is part of this application also shows an access drive, which will be part of the public right-of-way. This access drive area will have townhouses around it, and a large landscaped area between the access drive and Moore Drive. The plan also provides on-street parking, sidewalks, tree lawns, tree preservation and space for adequate replacement planting, as well as afforestation. Staff feels that this plan represents the best compromise to achieve the goals necessary to make this important project feasible and workable, now and into the future.

Development Standards

As permitted in the Zoning Ordinance under the regulations relating to the Planned Residential Unit developments, development standards may be waived as part of the approval process. The Applicant has proposed the following development standards:

	Min Lot size	Front Setback	Side Yard setback	Rear yard Setbacks
Single Family Detached	3,615 sq. ft	18' min	0' or 3' min	10' min
Townhouse	1,400 sq. ft	20' min	0' min	8' min

Single Family Detached Minimum Buildable Area: 1,376 sq. ft (32' X 43')
Height (single family detached and townhouse): three (3) stories

Staff has analyzed the proposed setbacks and requested height and feels that some changes should be made. While the applicant has not finalized the design of the units, staff finds that the side yards of the single-family houses are too small. Side yard setbacks of the proposed size are not conducive to proper maintenance within the side yards or the placing of air conditioning compressor units.

The neighborhood surrounding this project is an R-60 zoning district, comprised of single-family detached dwelling units that require an eight-foot side yard setback (seven feet for a qualifying undersized lot) and 20-foot rear yard setback requirements. One of the goals of the design of this project was to have the single-family detached house on the periphery of the project in order to integrate the project into the surrounding community better.

Staff realizes, however, that the number of units required for this site make larger lots and setbacks impractical. Therefore, staff recommends that the development standards reflect minimum setback standards for the single-family detached houses of four feet on the side. These setbacks reflect the minimum necessary to achieve a comfortable and functional design that is sensitive to the adjacent neighborhood, as well as respecting the constraints of the development area.

With respect to rear yard setbacks for the townhouses, staff feels it would be more appropriate to have a 10-foot rear yard setback in order to create a more comfortable space, in addition to allowing the appropriate placement of a deck or patio.

Staff also believes that development standards for decks and accessory buildings should be established. Staff recommends that decks throughout the neighborhood be allowed to within four feet of the rear property line. With respect to accessory structures, language should be added to state that an accessory structure shall not exceed 10% of the smallest lot within the subdivision (1,400 sq. ft.), nor shall it exceed a 25% rear yard lot coverage. Height shall be limited to 15'. This is consistent with current Ordinance requirements.

The height of the buildings is another area that staff feels should be amended. While the proposed neighborhood has site constraints, as well as the inability to provide "walk-out" or basement conditions because of topographical issues, it is staff's opinion that the heights be the same as the allowable height in the underlying zone, which is 35 feet.

As a result of these comments, staff proposes the following amended development standards:

	Min Lot size	Front Setback	Side Yard setback	Rear Yard Setbacks
Single Family Detached	3,600 sq. ft	18' min (house and garage)**	4' min*	10' min
Townhouse	1,400 sq. ft	20' min	0' min*	10' min
Decks			4' (for single family detached, 0' for townhouses)	Within four feet of any rear lot line

Single Family Detached Minimum Buildable Area: 1,376 sq. ft

Height (single family detached and townhouse): 35-feet

Accessory buildings: Accessory structure shall not exceed 10% of the smallest lot within the subdivision (1,400 sq. ft.), nor shall it exceed a 25% rear yard lot coverage. Height shall be limited to 15'.

* There shall be no condenser units, heat pumps, etc., within the side yards

** A single family house on a corner lot may have an 12-foot setback from Moore Drive, provided there are no driveways.

ANALYSIS

Property Description

The subject property is located on approximately 5.39 acres of land within the Lincoln Park neighborhood. As stated before, Moore Drive is the primary road that serves this property, and connects Westmore Avenue to Frederick Avenue. The property is zoned R-60, and is flat. The property has a series of ten, two-story buildings that are currently empty due to a relocation effort. The utilities for these buildings are located throughout the complex and in the right-of-way, including steam lines.

The property is bordered on the south by a parking lot for a neighborhood church. On the west is part of the Lincoln Park neighborhood, comprising of single-family detached homes. To the north is a large Washington Gas storage area. This gas storage area is not within Rockville, effectively making this project on the border of the City.

Background

Rockville Housing Enterprises, the City's housing authority, has, with the approval of the Mayor and Council, entered into an agreement with Mid City Urban LLC to redevelop the forty-six year old Lincoln Terrace public housing property at Moore Drive as sixty new owner occupied dwellings. Plans for the redevelopment of the public housing have been under discussion between RHE and the City for a number of years. Mid City Urban was selected as developer in response to a Request For Proposals issued by RHE.

In March 2002, the Mayor and Council concurred in the execution of a Master Development agreement between the housing authority and Mid City. In August 2003, the U.S. Department of Housing and Urban Development granted its approval to move ahead with the plans to raze and redevelopment to the property as a mixed income owner occupied community. Low-income families eligible for the Section 8 Home Ownership program will purchase eighteen of the proposed sixty units. Priority will go to current Public Housing residents, the relocated households or participants in the RHE Section 8 program. Twenty-two units are set-aside for households having incomes between 60-80% of the area median income. Another twenty units will be sold at market rate to households with incomes exceeding 80% of the median income

The residents of Lincoln Terrace are being relocated to privately owned housing with the assistance of Section 8 "Housing Choice" rent supplement vouchers. Those residents who wish to remain in public housing are being relocated to Davis Scull Court at First Street. At the time of this report, only one of the 65 existing apartments are occupied, and some staff members of Rockville Housing Enterprises.

Demolition of the buildings will take place after the buildings are vacant and the RHE offices are relocated to David Scull Court.

MASTER PLAN and NEIGHBORHOOD PLAN COMPLIANCE:

The Draft Lincoln Park Neighborhood Plan reaffirms the City's commitment to the historic residential character of Lincoln Park. The draft neighborhood plan specifically recommends the redevelopment of Lincoln Terrace as a mixed-income community with a mix of single family attached and detached units.

The Plan also supports a strong preservation component. In July of 2004, the Mayor and Council authorized staff to begin work with a neighborhood preservation committee to develop a plan to preserve the character and history of Lincoln Park and allow compatible new development and improvements to existing homes. The historic and existing development pattern is modest single-family detached homes on long narrow lots averaging about 10,000 square feet. The properties were largely owner-occupied or occupied by long-term tenants.

The subject area was not one of the original platted subdivisions of Lincoln Park but was subdivided by deed. Some tracts, such as the Davis family properties, were purchased as a large parcel and subdivided for family members. In the late 1950s, eight multi-family dwelling units were constructed on the subject parcel. This development was a departure from the established character of the area.

The adjacent area consists of single-family detached housing, with a variety of lot sizes. The land on the north side of Westmore Avenue was a generational subdivision by deed and the lot size ranges from 31,840 square feet at 807 Westmore to 6,400 square feet at 811 and 813 Westmore. The adjacent lots at 300 and 304 Frederick Avenue are 10,395 and 11,427 square feet respectively. To the east of the development is the 1918 Galilean Fisherman's Cemetery. Typical lots in England's Second Addition to Lincoln Park to the west are about 10,000 square feet with one to two story detached single-family houses. Single family detached houses form the streetscape character of Frederick and Westmore in this area.

One stated goal of the Draft Neighborhood Plan is to discourage or mitigate later development which is not in character. The return to single family detached and attached dwellings under private ownership satisfies this recommendation of the draft master plan. The layout and design is sympathetic to the surrounding residential character and development because the single-family detached units are either along or close to the existing street frontages, with the townhouse units located internal to the site.

STAFF RECOMMENDATION

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A and a Landscape Plan according to Exhibit B.
2. Submission, for approval by the Department of Public Works (DPW), of the following detailed plans, studies and computations:
 - a. Stormwater management (SWM) plans
 - b. Sediment control plans

- c. Public improvement plans (storm drain and paving, street tree and lighting)
 - d. Signing and pavement markings
 - e. Drainage study with computations and drainage area map
 - f. Any additional notes on the plans.
- 3. Post bonds and obtain permits from DPW.
- 4. Submission, for approval by the City Forester, of the following detailed plans, agreements and computations:
 - a. Forest Conservation Plan showing tree preservation areas, on-site afforestation and significant tree replacement.
 - b. Landscape plan.
 - c. Applicable forest conservation easements, maintenance agreements and bonds.
- 5. Maintain 10-foot PUE between Lots 20 and 21.
- 6. All underground transformers to service the site will need to be shown.
- 7. The Development standards shall be modified to reflect the amended criteria as presented within this report.
- 8. Submission, for approval by the Mayor and Council, of an application for a street closing and abandonment for portions of Moore Drive

TRANSPORTATION

Traffic

Transportation staff has evaluated the project and has determined that there will be no significant impacts as a result of the redevelopment of this project. Moore Drive will be shifted slightly from its present alignment in order to accommodate this site layout. Accordingly, portions of the existing Moore Drive right of way will need to be abandoned and additional areas will need to be dedicated. The existing right of way is forty (40) feet and the proposed width is fifty (50) feet.

Parking

As stated previously, the plan has been amended numerous times. All of the units will provide the Code-required two off-street parking spaces within garages or driveways. In addition, there will be approximately 15 on-street spaces that have been provided in the latest iteration of the plan. Most will be located in the vicinity of the access drive that has been incorporated into the plan.

Pedestrian Access and Bicycle Paths

Pedestrian and bike access will be provided along Moore Drive, connecting to the surrounding streets of Westmore Avenue, Frederick Avenue and Horners Lane.

Transit

Bus service is provided along Horners Lane. Transportation staff had originally recommended requiring the developer to contribute \$6,500 towards the construction of a bus shelter adjacent to the site. Police and Neighborhood Services staff have raised safety concerns about the construction of a bus shelter and have recommended that a bus shelter not be required at this time.

Moderately Priced Dwelling Units (MPDUs)

Twenty of the sixty proposed units will be part of the MPDU program and an additional 20 will be subsidized below MPDU prices. The combined 662/3% of the homes at or below the MPDU guidelines greatly exceeding the 12.5% requirement. The Section 8 Homeownership Program will also be utilized to meet the MPDU requirement.

STORMWATER MANAGEMENT

Environmental

The subject property is in the Rock Creek Watershed. The applicant has worked closely with staff to develop a SWM plan that provides water quality management for more than the subject property's 5.39 acres. Therefore, the SWM facility will be located on property conveyed to Rockville with DPW providing maintenance for the public SWM facility. Quantity control will be managed by a monetary contribution to the SWM fund.

Sewer service will be provided by extending public sewer mains and connecting to the existing sewer system. The new sewer lines will be designed and constructed by the applicant. Water will be supplied by an existing public water main located in Moore Drive. The applicant will be required to "clean and line" the main to restore the line to its original condition. DPW is investigating the surrounding water system of the immediate area to determine if there is a benefit to connecting the main in Moore Drive to the main in Horners Lane. The sub-water system study includes field testing and computer modeling. If recommended by the study, the applicant will be required to design and construct this connection.

All utilities that are not to be utilized and are located in the right of way will be properly abandoned at their connections to active utilities and completely removed from the right of way.

LANDSCAPING/ FOREST AND TREE PRESERVATION

A landscape plan for this development has been submitted and is under review per the requirements of condition number one (1) noted above. Also, an approved Forest Conservation Plan (FCP) is required, and the applicant is working to finalize it with City staff.

Equipment Screening

All electrical service for this site will be provided underground. All transformers or telecommunications equipment is required by the City of Rockville to be placed underground unless the City of Rockville Planning Commission approves a waiver.

PUBLICLY ACCESSIBLE ART IN PRIVATE DEVELOPMENT

Art must be provided on the site in accordance with the Publicly Accessible Art in Private Development Ordinance established by the City. In the event that art cannot be provided on-site, a payment in lieu of art may be submitted in the amount of \$6,000 (20 units X \$300.00). The art requirement is based on the market rate units only, as per Chapter 4, Section 4-44.

STAFF COMMENTS

This project is a significant step forward in upgrading public housing within the City of Rockville. It has been difficult at times to accomplish the numerous goals of the applicant, the City, and the future residents of this project, given the numerous constraints on the site and the number of units required to make the project feasible. Staff believes that the current version of the plan achieves the applicable goals and is a workable plan that functions aesthetically and fiscally. We feel that this plan will create a vibrant redevelopment that will accomplish a significant goal of providing decent, livable, affordable housing.

NOTIFICATION

Notices were sent to approximately 400 residences and businesses in the Lincoln Park and East Rockville neighborhoods, as well as the association presidents of Lincoln Park and East Rockville.

APPROVAL LIMITATIONS

Section 25-565(a) of the Zoning Ordinance requires submission of a detailed application within one year of approval by the Mayor and Council, or the application approval shall expire.

CONCLUSION

It is staff's opinion that this application complies with the goals established by the City for the redevelopment of this housing project, and we recommend approval.

Attachments: